

**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP ART UNIT NUMBER: 2174**

32692

Customer Number

Patent  
Case No.: 57120US002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: GEAGHAN, BERNARD O.  
Application No.: 09/970474 Confirmation No.: 1153  
Filed: October 3, 2001  
Title: TOUCH PANEL SYSTEM AND METHOD FOR DISTINGUISHING MULTIPLE TOUCH INPUTS

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**AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]**

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.

Date: January 16, 2007

Signed by: Phyllis J. Roettcher

Dear Sir:

Applicant thanks the examiner for the phone interview on January 8, 2007, regarding the above subject application. Also, thank you for voice mail exchanges on January 10<sup>th</sup> and 11<sup>th</sup> regarding whether this amendment needs to be filed as an RCE. Per your voicemail on the 11<sup>th</sup>, I understand that it should be filed as an after-final amendment, and prosecution thus reopened.

Attached is an Amendment and Response Under 37 CFR § 1.111, the substance of which was originally filed August 17, 2006. In the January 8 interview it was determined that the original August 17, 2006 Amendment was never received by Examiner. Applicant believes this amendment places the application in condition for allowance.

Upon review of the file, it was noted that the initialed Forms PTO-1449 filed with the Information Disclosure Statements dated October 24, 2001, February 5, 2002, November 12, 2002, December 31, 2002 and February 11, 2004 has not been received. It is requested that the Examiner initial the Form PTO-1449, a copy of which is enclosed for the Examiner's convenience, and return it to the undersigned attorney.

Fees

☒ It is believed that no fees are due; however, in the event fees are required please charge the fees to Deposit Account No. 13-3723. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested.

☐ Any required fee will be made at the time of submission via EFS-Web. In the event fees are not or cannot be paid at the time of EFS-Web submission, please charge to Deposit Account No. 13-3723 any fees under 37 CFR §§ 1.16 and 1.17 which may be required. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested. Please credit any overpayment to Deposit Account No. 13-3723.

☐ Please charge to Deposit Account No. 13-3723 any fees under 37 CFR §§ 1.16 and 1.17 which may be required. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested. Please credit any overpayment to Deposit Account No. 13-3723. (One copy of this sheet marked duplicate is enclosed.)